

# Notice of Allowability

Application No.

09/469,834

Examiner

Michael S. A. Delgado

Applicant(s)

HUGHES, TREVOR

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/26/2004.
2. ☒ The allowed claim(s) is/are 9-11 and 32-36 hereafter 1-8.
3. ☒ The drawings filed on 12/22/1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
WILLIAM A. CUCHLINSKI, JR.  
SUPERVISORY PATENT EXAMINER  
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## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/26/2004 has been entered.

### **EXAMINER'S AMENDMENT**

The application has been amended as follows:

IN THE CLAIMS:

Claims 1-8, 12-34 and 37-40 are cancelled

9. (Currently amended) A method for operating a computer system Including a server and a client, comprising the steps of:

(a) based on a selection made by a user of the client, downloading a first portion of an application program from the server to the client, the first portion of the application program containing a first plurality of program files, the application program further including a second portion containing a second plurality of program files, the second plurality of program files not being included in the first plurality of program files, the application program being designed to operate at the client only with the first plurality of program files stored locally and the second plurality of program files stored locally;

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(b) launching the application program in the client, while the first portion of the application program is stored locally in the client, but the second portion of the application program is not stored locally In the client;

(c) processing in the client, a request for one of the second plurality of program files, wherein the request is based on the selection made by the user;

d) automatically downloading at least one of the second plurality of program files from the server to the client; and

(e) using the at least one of the second plurality of program files in the client.

10. (Original) The method of claim 9, including, before step (a), the steps of

(1 ) Selecting the first plurality of program files to include program files that are expected to be used frequently: and

(2) selecting the second plurality of program files to include program files that are not expected to be used frequently.

11. (Original) The method of claim 9, wherein step (d) includes downloading all of the second plurality of program files from the server to the client.

32. (Currently Amended) A method for configuring computer programs on a client that is coupled to a server, comprising the steps of:

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(a) identifying a first plurality of computer programs that are listed in a user profile associated with a user of the client, the first plurality of computer programs being associated with the user;

(b) querying a database identifying dependencies among a second plurality of computer programs that are stored on the server, the first plurality of computer programs being a subset of the second plurality of computer programs;

(c) identifying dependencies among the first plurality of computer programs based on the querying; and

(d) automatically generating configuration files for downloading to the client and that are required to execute any of the first plurality of computer programs in the client, without executing any installation programs associated with any of the first plurality of computer programs.

33. (Original) The method of claim 32, further comprising automatically downloading computer program files corresponding to the first plurality of computer programs from the server to the client.

34. (Original) The method of claim 32, further comprising, before step (a), the step of: storing a plurality of codes in the database, each code associated with a respective dependency between at least two of the second plurality of computer programs.

35. (Original) The method of claim 34, wherein step (d) Includes: generating the configuration files to reflect a dependency between the at least two of the second plurality of computer programs, if all of the at least two of the second plurality of computer programs are included in the first plurality of computer programs.

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36. (Original) The method of claim 35, wherein step (d) further includes:

generating the configuration files so as not to reflect the dependency between the at least two of the second plurality of computer programs, if the at least two of the second plurality of computer programs are not all included in the first plurality of computer programs.

***Allowable Subject Matter***

1. Claims 9-11 and 32-36 are allowed.
2. The following is an examiner's statement of reasons for allowance:

In prior art, as in the case of US Patent No. 6,385,766 by Doran, a batch process in which a user has no means to interact with the process while it is taking place, accomplishes the process of downloading software from a server to a client. In applicant's invention, the downloading of software is done in an interactive manner, which makes the process more dynamic and adaptable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925


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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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